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March 6, 2000

C029050 DEPARTMENT OF SOCIAL SERVICES v. STATE PERSONNEL BOARD; CAGLE MOORE (Not for Publication)

The judgment is reversed with directions to the trial court to deny the Department's petition for writ of mandate. The Department shall pay

Moore's costs on appeal.

MORRISON, J.

We concur: Sims, Acting P.J.

Nicholson, J.

C030164 THE PEOPLE v. LOSOYA (Not for Publication)

The judgment is affirmed.

BLEASE, J.

We concur: Scotland, P.J.

Morrison, J.

C029533 THE PEOPLE v. VELEZ (Not for Publication)

The trial court's denial of the defendant's motion to suppress is vacated and the matter remanded for further proceedings in conformity with this opinion.

BLEASE, Acting P.J.

We concur: Raye, J.

Callahan, J.

March 7, 2000

C034574 DARLA E. v. SUPERIOR COURT SACRAMENTO COUNTY (DEPARTMENT OF HEALTH AND HUMAN SERVICES et al.)

(Not for Publication)

The petition and request for a stay are denied.

NICHOLSON, Acting P.J.

We concur: Hull, J.

Kolkey, J.

C031449 THE PEOPLE v. VAUGHN (Not for Publication)

The judgment is affirmed.

MORRISON, J.

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We concur: Sims, Acting P.J.

Hull, J.

C031938 THE PEOPLE v. FRANKLIN

(Not for Publication)

The judgment is modified by striking the order requiring defendant to register pursuant to Health and Safety Code section 11590. Defendant's name shall be expunged from any register maintained under Health and Safety Code section 11590. (In re Trummer (1964) 60 Cal. 2d 658, 665.) As modified, the judgment is affirmed.

SCOTLAND, P.J.

We concur: Sims. J.

Nicholson, J.

C032405 THE PEOPLE v. SCOTT

(Not for Publication)

The judgment is affirmed.

RAYE, Acting P.J.

We concur: Morrison, J.

Kolkey, J.

C030913 THE PEOPLE v. GRAY et al.

(Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Nicholson, Acting P.J.

Morrison, J.

C032431 THE PEOPLE v. VENAVIDES

(Not for Publication)

The judgment is affirmed.

RAYE, Acting P.J.

We concur: Morrison, J.

Kolkey, J.

March 7, 2000 continued

C031711 THE PEOPLE v. BUATHIER

(Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Scotland, P.J.

Blease, J.

C029776 THE PEOPLE v. CHAPMAN

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J

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C033424 In re JESSICA D.; SISKIYOU COUNTY DEPARTMENT OF HUMAN SERVICES v. LINDA (Not for Publication)

The orders are affirmed.

SCOTLAND, P.J.

We concur: Sims, J.

Nicholson, J.

March 8, 2000

C033943 In re CAUTKIN B.et al.; SUTTER COUNTY DEPARTMENT OF HUMAN SERVICES v. MICHELE B.

C033973 (Certified for Partial Publication)

The orders of the juvenile court are affirmed.

CALLAHAN, J.

We concur: Blease, Acting P.J.

Sims, J.

C031953 THE PEOPLE v. HARRIS (Not for Publication)

The matter is remanded to the trial court with directions to conduct an evidentiary hearing on defendant's motion to strike her 1984 robbery convictions on Boykin/Tahl grounds. If the motion is denied, defendant's 25-year sentence stands; if the motion is granted, the court is directed to impose a 13-year term.

BLEASE, Acting P.J.

We concur: Davis, J.

Morrison, J.

March 8, 2000 continued

C033592 In re OLIVIA S. et al.; CHILD PROTECTIVE SERVICES v. PAMELA F. et al.

The order of January 7, 2000, dismissing the appeal of David S., is vacated and the appeal filed September 17, 1999, is reinstated. Appellant David S.' motion to strike his Sade C. letter filed January 6, 2000, and join in all briefs of appellant Pamela F., is granted. SCOTLAND, P.J.

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March 8, 2000

C028465 THE PEOPLE v. FOUNTAIN (Certified for Partial Publication)

The finding that defendant's prior juvenile adjudication for battery with serous bodily injury (δ 243(d)) constitutes a strike is reversed. The sentence imposed is vacated and the matter remanded to the superior court for further proceedings.

MORRISON, J.

We concur: Scotland, P.J.

Sims, J.

March 9, 2000

C033365 THE PEOPLE v. HERRIAGE (Not for Publication)

The judgment is affirmed.

RAYE, J.

We concur: Sims, Acting P.J.

Callahan, J.

C031989 THE PEOPLE v. COLEBANK (Not for Publication)

The judgment is modified to award defendant 114 days of conduct credit. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections.

CALLAHAN, J.

We concur: Sims, Acting P.J.

Raye, J.

March 9, 2000 continued

C029634 THE PEOPLE v. BISHOP et al. (Not for Publication) C030462

Defendants' convictions on count four are reversed. In all other respects, the judgments are affirmed. The trial court is directed to prepare amended abstracts of judgment and to forward certified copies to the Department of Corrections.

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RAYE, J.

We concur: Blease, Acting P.J.

Callahan, J.

C026553 THE PEOPLE v. LEWIS C026727 THE PEOPLE v. JACKSON

(Not for Publication)

Jackson's conviction for violating Health and Safety Code section 11366 in case No. 95F8823 is reversed. In all other respects, the judgment against Jackson is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this determination and to send a copy of the amended abstract to the Director of the Department of Corrections.

Lewis's conviction for violating Health and Safety Code section 11366 in case No. 95F8823 is reversed, and his five convictions in case No. 96F4425 for conspiring to possess drugs in jail (Pen. Code, $\delta\delta$ 182, 4573.8) are reversed. Because the trial court neglected to address the enhancement under Penal Code section 667.5, subdivision (b) for Lewis's Shasta County prison term, the sentence is vacated and the matter is remanded for resentencing. In all other respects, the judgment against Lewis is affirmed.

SCOTLAND, P.J.

We concur: Davis, J.

Hull, J.

C032942 THE PEOPLE v. MOORE

(Not for Publication)

The judgment is affirmed. The trial court is directed to correct the abstract of judgment and to forward a certified copy to the Department of Corrections.

RAYE, J.

We concur: Sims, Acting P.J.

Callahan, J.

March 9, 2000 continued

C027714 THE PEOPLE v. JACKSON

(Not for Publication)

The judgment is modified to reflect that defendant's conviction for violating Health & Safety Code section 11366 in case No. 95F8823 is reversed. As modified, the judgment is affirmed. This modification has

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no effect on defendant's aggregate term of imprisonment because the trial court sentenced her to a concurrent term for the Health and Safety Code section 11366 violation. The trial court is directed to prepare an amended abstract of judgment reflecting this modification, and to send a copy of the amended abstract to the Director of Corrections.

SCOTLAND, P.J.

We concur: Davis, J.

Hull, J.

C030136 CHETCUTI et al. v. DESMOND (Not for Publication)

The judgment is affirmed. Desmond's motion for sanctions for a

frivolous appeal is denied.

BLEASE, Acting P.J. We concur: Morrison. J.

Callahan, J.

C032868 THE PEOPLE v. LEE (Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Sims, Acting P.J.

Rave, J.

C031717 THE PEOPLE v. PIERCE (Not for Publication)

The conviction for assault with a firearm (counts 7, 8 and 9) are vacated. In all other respects the judgment is affirmed. The trial court is to prepare and forward to the Department of Corrections a new abstract of

judgment.

MORRISON, J.

We concur: Scotland, P.J.

Blease, J.

C031937 THE PEOPLE v. BERRY (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Scotland, P.J.

Blease, J.

March 9, 2000 continued

C033258 THE PEOPLE v. MITCHELL (Not for Publication)

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The judgment is affirmed.

RAYE. J.

We concur: Sims, Acting P.J.

Callhan, J.

C033127 RINKER et al. v. RINKER

(Not for Publication)

The judgment is affirmed.

NICHOLSON, J.

We concur: Scotland, P.J.

Sims, J.

C031282 In re DAVID B.; THE PEOPLE v. DAVID B.

(Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Scotland, P.J.

Davis, J.

C029576 CHANNEL LUMBER CO., Inc. v. SIMON et al.

(Certified for Publication)

The order awarding Porter Simon attorney fees and expenses in the amount of \$83,860 is reversed. Channel shall recover its costs on appeal. (Cal Rules of Court, rule 26(a).)

SCOTLAND, P.J.

I concur: Kolkey, J. I respectfully dissent:

Nicholson, J.